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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/985,999	Applicant(s) AMANO, KOJI	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This communication is responsive to Amendment, filed 10/25/2004.

Claims 1-49 are pending in this application. In the Amendment, claims 1-49 were amended. This action is made Final.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-5, and 18 recite the limitation "the available user-selectable image forming function options" in line 8. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 6-10, 13, 23, 27, 31, 35, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. ("Barrett", US 5,880,727) and Arcuri et al. ("Arcuri", U.S. Pat. No. 6,121,968).

As per claim 1, Barrett discloses a display device, in an image forming apparatus, comprising: a display unit that displays a plurality of user-selectable image forming function options (FIGS 4-6); and a display arrangement control device that determines an arrangement of the plurality of user-selectable image forming function options, and arranges the plurality of user-selectable image forming function options in the predetermine arrangement (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52), wherein a plurality of the user selectable image forming function options are displayed in a first case and in a second case, and the display arrangement control device modifying the display unit from the first case to the second case so that at least one of the user-selectable image forming function options displayed in both cases is displayed in a position which is different in the first case than in the second case (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52, *the "100%" option button and the "AUTO" option button are displayed in a position which is different in both cases*).

Barrett does not disclose a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri teaches a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught

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by Arcuri in the invention of Barrett because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

As per claim 4, Barrett discloses a display device, in an image forming apparatus, comprising: a display unit that displays a plurality of user-selectable image forming function options (FIGS 4-6); and a display arrangement control device that determines an arrangement of the plurality of user-selectable image forming function options, and arranges the plurality of user-selectable image forming function options in the predetermine arrangement (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52), wherein a plurality of the user selectable image forming function options are displayed in a first case and in a second case, and the display arrangement control device modifying the display unit from the first case to the second case so that at least one of the user-selectable image forming function options are displayed with a larger interval between the user selectable image forming function options in the second case than in the first case. (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52, there is more space on the display screen when some of the options are displayed (FIG.5) than when all of the options are displayed (FIG.6)).

Barrett does not disclose a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri teaches a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming

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function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught by Arcuri in the invention of Barrett because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

As per claim 6, Barrett teaches the display device wherein the user-selectable image forming function options include options associated with a duplex image forming function (FIG 4, 2 SIDED options: 1-> 1 Sided, 1 ->2 Sided, 2->2 Sided, 2 -> 1Sided).

As per claim 7, Barrett teaches the display device wherein whether the first case or the second case is displayed is determined according to mounting conditions of additional devices (col.2, lines 41-58, *controller 15 controls all functions within multi-function device so as to coordinate all interactions between the various modules and devices that may include: a sorter, stapler, feeder, etc.*).

As per claim 8, Barrett teaches the display device wherein the display device unit further comprises a user interface for selection of functions of the image forming apparatus (*col.2, lines 20-27, user interface 5 allows user to select the various functions of the image forming apparatus*).

As per claim 9, Barrett teaches the display device wherein the display unit further comprises a touch panel type display device which allows a user to select a function by touching

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a displayed area of one of the user selectable image forming function options (col.5, lines 29-30, *user interface is a touch-sensitive video display device*).

As per claim 10, Barrett teaches the display device wherein the display arrangement control device maintains the user-selectable image forming function options in a uniform arrangement when the number of the user-selectable image forming function options to be displayed is changed (FIG. 2, col.2, lines 44-47, controller 15; FIGS. 5 & 6, *options are displayed uniformly such as in the case of "100%" option, "AUTO" option, and "X: 78%", Y: 100% " option*).

As per claim 13, Barret teaches the display device wherein the user-selectable image forming function options include options associated with a particular function, and the options associated with the particular function are displayed when the particular function is selected on a predetermined display screen displayed on the display unit (col. 5, lines 48-51, *activatable area is associated with a certain value, function, or linked screen*).

Claim 23 is rejected under the same rationale as claim 7.

Claim 27 is rejected under the same rationale as claim 8.

Claim 31 is rejected under the same rationale as claim 9.

Claim 35 is rejected under the same rationale as claim 10.

Claim 48 is rejected under the same rationale as claim 13.

Claims 2, 5, 11-12, 21, 24, 25, 28-29, 32-33, 36-46, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. ("Barrett", US 5,880,727), Arcuri et al. ("Arcuri", U.S. Pat. No. 6,121,968), and Kino et al. ("Kino", US 6,469,719).

As per claim 2, Barrett discloses a display device, in an image forming apparatus, comprising: a display unit that displays a plurality of user-selectable image forming function options (FIGS 4-6); and a display arrangement control device that determines an arrangement of the plurality of user-selectable image forming function options, and arranges the plurality of user-selectable image forming function options in the predetermine arrangement, wherein a plurality of the user selectable image forming function options are displayed in a first case and in a second case (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52).

Barrett does not disclose a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri teaches a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught by Arcuri in the invention of Barrett because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

Barrett and Arcuri do not specifically disclose the display arrangement control device modifying the display on the display unit from the first case to the second case so that at least

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one of the user-selectable image forming function options displayed in both of the cases is displayed in a size which is different in the first than in the second case. Kino teaches a display device with improved layout of user-selectable image forming function options wherein the display size of at least one of the user-selectable image forming function options are adjusted or reduced (FIG. 1, col.2, lines 46-65, *layout unit, size reducing unit*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Kino with the display device of Barrett and Arcuri in order to accommodate the fluctuation in the number of menu items without requiring the definition of a plurality of GUI screens with different layouts of menu options (col.2, lines 25- 32).

As per claim 5, Barrett discloses a display device, in an image forming apparatus, comprising: a display unit that displays a plurality of user-selectable image forming function options (FIGS 4-6); and a display arrangement control device that determines an arrangement of the plurality of user-selectable image forming function options, and arranges the plurality of user-selectable image forming function options in the predetermine arrangement, wherein a plurality of the user selectable image forming function options are displayed in a first case and in a second case (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52).

Barrett does not disclose a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri teaches a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image

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forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught by Arcuri in the invention of Barrett because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

Barrett and Arcuri do not specifically disclose the display arrangement control device modifying the display on the display unit from the first case to the second case so that the user selectable image forming function options are displayed in a larger size in the second case than in the first case. Kino teaches a display device with improved layout of options wherein the display size of at least one of the options are adjusted or reduced (FIG. 1, col.2, lines 46-65, *layout unit, size reducing unit*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Kino with the display device of Barrett and Arcuri in order to display options large enough for the user to discern without making them overly difficult to read (col. 3, lines 5- 23).

As per claim 11, Barrett and Arcuri disclose the display device substantially as claimed. Barrett and Arcuri do not specifically disclose the display arrangement control device selects from a plurality of display data which are stored in advance and uses the selected display data to display the user selectable image forming function options when the number of the user selectable image forming options to be displayed is changed. Kino teaches the display arrangement control device selects from a plurality of display data which are stored in advance

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and uses the selected display data to display the user selectable image forming function options when the number of the user selectable image forming options to be displayed is changed (FIG. 1, GUI Control Unit, Menu Control Unit, Menu Display Attribute Storage Unit, Layout Information Storage Unit, col.2, line 46-56, *display form and display position of each menu option stored in storing unit can be adjusted, so that more options can be displayed on the GUI screen*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Kino with the display device of Barrett and Arcuri in order to dynamically arrange the options even if the display positions of options are not determined in advance and thus reducing the time taken to design and develop the GUT screens (col.2, lines 52-56).

As per claim 12, Barrett and Arcuri disclose the display device substantially as claimed. Barrett and Arcuri do not specifically disclose the display device further comprising a calculating device for determining by calculation display positions of the user selectable image forming function options when the number of the user selectable image forming function options to be displayed is changed. Kino teaches the display device further comprising a calculating device for determining by calculation display positions of the user selectable image forming function options when the number of the user selectable image forming function options to be displayed is changed (col.2, lines 57-67, *layout determining unit includes a display position determining unit for determining the display position of each option so that the options do not overlap one another*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Kino with the display device of Barrett and Arcuri so the greatest possible numbers of options are simultaneously and favorably displayed with respect to the sizes and the total number of options (col.3, lines 1-9).

Claim 21 is rejected under the same rationale as claim 7.

Claim 24 is rejected under the same rationale as claim 7.

Claim 25 is rejected under the same rationale as claim 8.

Claim 28 is rejected under the same rationale as claim 8.

Claim 29 is rejected under the same rationale as claim 9.

Claim 32 is rejected under the same rationale as claim 9.

Claim 33 is rejected under the same rationale as claim 10.

Claim 36 is rejected under the same rationale as claim 10.

Claims 37-40 are individually rejected under the same rationale as claim 11.

Claims 41-45 are individually rejected under the same rationale as claim 12.

Claim 46 is rejected under the same rationale as claim 13.

Claim 49 is rejected under the same rationale as claim 13.

Claims 3, 22, 26, 30, 34, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. ("Barrett", US 5,880,727), Hocker et al. ("Hocker", US' 5,754,179), and Arcuri et al. ("Arcuri", U.S. Pat. No. 6,121,968).

As per claim 3, Barrett discloses a display device, in an image forming apparatus, comprising: a display unit that displays a plurality of user-selectable image forming function options (FIGS 4-6); and a display arrangement control device that determines an arrangement of the plurality of user-selectable image forming function options, and arranges the plurality of user-selectable image forming function options in the predetermine arrangement, wherein a

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plurality of the user selectable image forming function options are displayed in a first case and in a second case (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52).

Barrett does not specifically disclose the display arrangement control device modifying the display unit from the first case to the second case so that at least one of the user selectable image forming function options displayed in both of cases is displayed in a shape which is different in the first case than in the second. Hocker teaches a method for organizing, displaying, managing, and selecting options on a graphical user interface in which the options are distinguished by one of a plurality of distinguishing features such as size and shape (col. 1, lines 58-60; col.4, lines 36-48, *distinguishing features include: size, shape*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Hocker with the display device of Barrett to provide users with a dynamic way of defining the relationship among the many different options on a graphical user interface by selecting different shapes to represent different functions (col. 1, line 63-col.2 line 16).

Barrett and Hocker do not disclose a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri teaches a plurality of the user-selectable image forming function options are displayed in a first case, less than all of the plurality of the user-selectable image forming function options that are displayed in the first case are displayed in a second case, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one

of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught by Arcuri in the invention of Barrett and Hocker because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

Claim 22 is rejected under the same rationale as claim 7.

Claim 26 is rejected under the same rationale as claim 8.

Claim 30 is rejected under the same rationale as claim 9.

Claim 34 is rejected under the same rationale as claim 10.

Claim 47 is rejected under the same rationale as claim 13.

Claims 14-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. ("Barrett", US 5,880,727), Kino et al. ("Kino", US 6,469,719), Hocker et al. ("Hocker", US 5,754,179), and Arcuri et al. ("Arcuri", U.S. Pat. No. 6,121,968).

As per claim 14, Barrett discloses a display method for displaying user selectable image forming function options on a display unit in an imaging forming apparatus comprising: determining a display arrangement for a first case wherein a plurality of available user selectable image forming function options in an image forming apparatus are displayed (FIGS. 4-6; col. 5, lines 33-42, and lines 52-59; col. 6, lines 42-52), and at least one of the user selectable image forming function options displayed in both cases such that the at least one user selectable image forming function option is displayed in a position which is different in the first case than in the second case (FIGS. 4-6, *the "100%" option button and the "AUTO" option button are displayed in a position which is different in both cases*).

Barrett does not specifically disclose at least one of the user selectable image forming function options displayed in both cases such that the at least one user selectable image forming function option is displayed in a size or shape which is different in the first case than in the second case. Kino teaches a display device with improved layout of options wherein the display size of at least one of the options are adjusted or reduced (FIGA, col. 2, lines 46-65, *layout unit, size reducing unit*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Kino with the display device of Barrett in order to accommodate the fluctuation in the number of menu items without requiring the definition of a plurality of GUI screens with different layouts of menu options (col. 2, lines 25- 32).

Hocker teaches a method for organizing, displaying, managing, and selecting options on a graphical user interface in which the options are distinguished by one of a plurality of distinguishing features such as size and shape (col. 1, lines 58-60; col. 4, lines 36-48, *distinguishing features include: size, shape*). It would have been obvious to an artisan at the time of the invention to combine the teachings of Hocker with the display device of Barrett and Kino to provide users with a dynamic way of defining the relationship among the many different options on a graphical user interface by selecting different shapes to represent different functions (col. 1, line 63-col. 2 line 16).

Barret, Kino, and Hocker do not disclose modifying the first case to a second case, wherein less than all of the plurality of the user selectable image forming function options displayed in the first case are displayed, and all user selectable image forming function options displayed in the second case are displayed in the first case. However, Arcuri discloses modifying the first case to a second case, wherein less than all of the plurality of the user selectable image

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forming function options displayed in the first case are displayed, and all user selectable image forming function options displayed in the second case are displayed in the first case (figs. 2A-2C; col. 2, lines 10-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include dynamic changing selection menu as taught by Arcuri in the invention of Barrett, Kino, Hocker because it provides users with dynamically changing the available commands in a given short menu based upon the particular needs and utilization behavior of the user.

Claim 15 and 19 are similar in scope to claim 6 and therefore are rejected under similar rationale.

Claim 16 and 20 are individually similar in scope to claim 7 and therefore are rejected under similar rationale.

Claim 17 is similar in scope to claim 10 and therefore is rejected under similar rationale.

Claim 18 is similar in scope to claim 14 and therefore is rejected under similar rationale.

Claims 37-40 are individually similar in scope to claim 11 and therefore are rejected under similar rationale.

Claims 41-45 are individually similar in scope to claim 12 and therefore are rejected under similar rationale.

Claims 46-49 are individually similar in scope to claim 13 and therefore are rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to the amendment have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu


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